



Kansas Criminal Justice Coordinating Council

KCJIS *NEWSLETTER*

FEBRUARY 2000

KCJIS MEETING TO BE HELD IN SALINA ON FEBRUARY 29, 2000

Criminal justice agencies throughout the state are invited to attend a general meeting of the KCJIS Project in Salina on February 29, 2000. Beginning at 9:00 a.m., in the auditorium of the Kansas Highway Patrol Training Center, representatives of the KCJIS Project will provide status reports and answer questions concerning the various components of the Kansas Criminal Justice Information System.

In conjunction with KCJIS, the ASTRA Board will convene a business meeting at 1:30 p.m., in the small auditorium at the Training Center. ASTRA system users are invited to attend the board meeting.

The KCJIS and ASTRA Board meeting agendas will be posted on the KCJIS website at www.cjis.state.ks.us.



SECURE ID TOKENS

The original KCJIS tokens that were purchased by the state or going to expire in May 2000. This is a reminder to order your new tokens if you have not done so. You will need to call FISHNET at 816-421-6611 and talk to Mary to order the tokens.

The tokens will be mailed to the KBI and we will assign the tokens as "replacement tokens" for the users that are already on the network. A list of the token assigned and the tokens will be sent to your agency shortly from the KBI. When you receive the tokens please hold on to them until the old one expires. When the old one expires simply sign onto the network using your new token and the same PIN number. The new token will automatically disable the old token and you will be operable on the network.

INSIDE THIS ISSUE

2	KCJIS Core Development Changes
3	KBI Help Desk Adds Staff
5	KBARS
7	New KDRs In Use
10	KIBRS
13	FAQ

Encryption Standards Change for MDT's

Encryption standards for Mobile Data Terminals (MDT's) were addressed at a fall meeting of the Standards & Technology (S&T) Subcommittee. Several local agencies, trying to implement new MDT systems, found CJIS security standards called for an encryption level they could not buy from their vendors, stopping their implementations.

S&T reviewed the requirements, known capabilities, and likely uses of the MDT's and information transmitted. The result was a recommendation that the ASTRA Board revise the security policies to require at least two operations of data manipulation on transmitted information and further to require at least 56-bit encryption for defined sensitive information. The security policy

subcommittee of the ASTRA Board reviewed and concurred with the recommendation. The ASTRA Board is expected to consider the request at their February 29th meeting.

Presuming approval of the revision by the ASTRA Board, the NCIC/CJIS Security Officer has allowed connection of MDT's for testing purposes if they meet or exceed the proposed requirements.

Finally, the recommended policy includes a statement recognizing improvements in this area are continuous and encouraging agencies to maintain currency with development. S&T and the security policy subcommittee expect this policy will be strengthened in the future.

KCJIS Core Development Changes

Paradigm4, the prime contractor for much of the CJIS development effort, performed an internal development review in November. As a result of the review, Paradigm4 announced the appointment of John Belock as Project Manager. Belock most recently was the Paradigm4 Project Manager for a smaller but similar project by Paradigm4 in Delaware. Belock should arrive on-site in early

February. His initial charge has been to revise the deliverables schedule and staffing plan for Paradigm4. The state expects to receive the revisions in early March. In the meantime, Paradigm4 continues development on many of the nearly completed functions originally scheduled for delivery this winter.

CJIS Network Subsidies

Authorized by the Criminal Justice Coordinating Council (CJCC) last July, CJIS network subsidies eliminate the difference in cost local agencies would see between the rates discussed with users in August, 1998 and the rates eventually arrived at when the network was turned on in 1999. That CJCC subsidy ends June 30, 2000. KBI and KHP budget requests for continuation of the subsidies for non-mandated locations as a state expense were not included in the budget recommendations

made to date. While we remain hopeful the Legislature will appropriate sufficient funds for this purpose, non-mandated agencies should be prepared to absorb the increased costs of their network connections beginning July 1, 2000. If you do not already know what the new rate(s) will be, you can contact Pat Orr at the state's Division of Information Systems and Communications (785-296-7097)

Datamaxx adds 24hr Support Option

Datamaxx has added an option to the existing statewide contract for CJIS terminal software to provide 24hr support. Agencies wanting to order this extra cost level of support should contact either Curt Owens at Datamaxx (800-999-2746) or Bob Sachs at the Division of Purchases (785-296-2770).

KBI HELP DESK ADDS STAFF

The KBI is in the process of hiring three additional staff persons for the KBI Help Desk. This will bring our complement of staff to a total of seven persons; six operators and one supervisor. Hiring and basic training is expected to be completed by the end of March.

All reports of trouble on a KCJIS terminal, token, or with any KCJIS application should be reported to the Help Desk. The main number to the Help Desk is 785-296-8245. This telephone will be answered, when staff is available, or will go to voice mail if the line is busy. The voice mail message will be updated when any subsystem, such as the message switch, web server, security components, etc. are not working properly and an estimated time of repair if known.

You may also reach the KBI Help Desk staff by calling 785-368-6282 and 785-368-6283.

Operators will answer these calls as time permits. If there is no answer, the calls will, after a number of rings, also go to voice mail.

Once you have contacted the Help Desk staff to report your problem, a trouble ticket is opened on each call. If your problem is not resolved while you are on the telephone with the KBI Help Desk staff, ask for a trouble ticket number. This number is helpful if you call back later to ask for a status of the unresolved ticket or if the problem is escalated to management.

If there is a problem where the entire network or system goes down unexpectedly and affects everyone, the Help Desk staff will notify the KHP for an immediate broadcast via the radio. Staff will also change the voice mail response at 785-296-8245.

Help Desk Support for Local Applications

The CJIS Core Development Project underwrote the cost for 12 months of help desk support from BSE for end users. That funding ended December 31st. BSE has generously continued the

service for a brief interim while the CJIS community examines the alternatives for continuing some sort of arrangement. It is possible local agencies will have to pay a monthly or annual fee for

this support in the future. Present proposals are that a local fee-based arrangement would have varying rates depending on the complexity or size of the agency's case management implementation.

Conference

BSE will host a conference of programmers and interested others to discuss the details of the project and to assist local prosecutors in building to the gateway. This meeting will be scheduled for one day during the first week of March, 2000. Contact Scott at (913) 327-1133, extension 115, for the details.

AFIS and IAFIS News

Since the last newsletter we have had some additional progress in the world of electronic fingerprints. While the installation of the state's central site AFIS at the KBI headquarters has not yet been fully accepted, we have continued to

move forward with interfaces to local livescan devices and designs for connection into the federal IAFIS network.

AFIS and IAFIS News Continued

The Printrak program manager is scheduled for a trip to Topeka for an on-site review and design conference with KBI managers, and that meeting should get the project moving a bit faster. There are a few significant system features that remain

to be installed, including the functionality to identify and process erroneous records submitted through livescan and to replace them with corrected records.

Livescan Users' Meeting

The KBI Identification Unit staff is making plans to hold a training session in February at the KBI Headquarters, Topeka, to assist personnel who are working with livescan. Administrators and managers are welcome to attend, but the focus of the session will be assisting the first-line supervisors and the staff who actually operate the livescan.

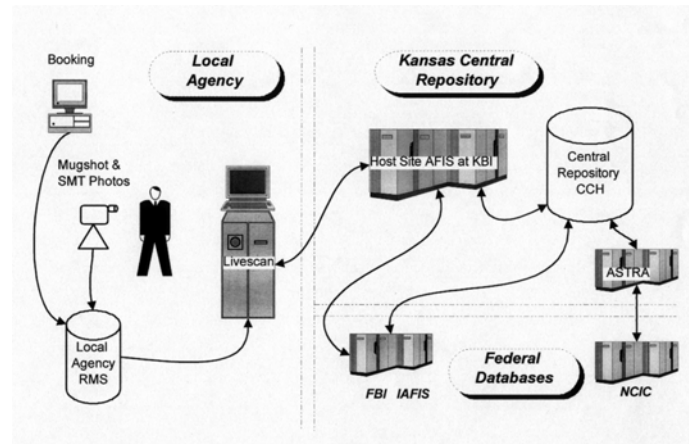
Topics for this session include getting the best prints possible, filling out cards and the Kansas Disposition Report form, working with the statute file, common problems and a question and answer session. There will be hands-on training on the livescan device. It will also give everyone, who is or will be using this new technology, an opportunity to meet and discuss problems and get new ideas. Our agenda is also being designed so that attendees can earn continuing education hours.

A more detailed letter will be sent to all live scan agencies with a firm date and detailed agenda.

AFIS and IAFIS Recent Accomplishments

- Saline County Sheriff's Office is now on-line with the host site AFIS. Saline began transmitting livescan records in December as the third "connected" livescan agency. The other two are Johnson and Lyon County Sheriff's Offices. Most other livescan agencies are actively working on this connectivity.
- Saline and Johnson Counties have also electronically connected their livescan devices to their local records management system (RMS) databases. This accomplishment permits text entry to be imported from the RMS program into the text message portion of the fingerprint file. Other livescan agencies are also currently working on this feature, and a few are close to connecting. (see the related article on NIST Message Maps).

- Latent submission to the FBI. In 1999, the KBI participated with eight other agencies in a FBI pilot program to search latent fingerprints in the IAFIS database. In the beginning of the program, only "test" latent fingerprints were searched against a "test" database, but by the end of the program actual latent fingerprints were searched. Because of the success of the pilot program, the FBI will soon send representatives to Topeka to inspect our facility and coordinate our efforts to go on-line with the FBI's Universal Latent Workstation (ULW). Once on-line with the FBI ULW, the KBI could submit and receive latent fingerprint searches from our Topeka laboratory. The KBI still plans for Printrak to provide latent fingerprint access from the remote latent AFIS sites, through Topeka, to the IAFIS.



NIST Maps for AFIS Records

A NIST Map is a document that defines the data and organization of an electronic message. The basic rules for constructing such messages were developed by the US National Institute of Standards and Technology. The FBI has adopted NIST message structure as the standard for all

electronic fingerprint files moved within the national IAFIS network. The Kansas CJIS project similarly adopted the FBI's NIST message structures as the standard for moving electronic fingerprint files within the Kansas AFIS network.

Current Status of NIST Message Maps in Kansas

Within the Kansas CJIS environment we use NIST messages to move the text data that is found on ten-print fingerprint cards. We have constructed message maps to meet the national standards while also satisfying the need for Kansas-unique information for the state central repository. These NIST maps have been distributed to all agencies

participating in livescan operations so that their livescan devices can be connected to the AFIS central site at the KBI. Several agencies are currently working to create NIST messages for livescan transmissions, and two agencies (Johnson County Sheriff's Office and Saline County Sheriff's Office) have completed some messages and have begun using them.

There are additional changes to the published NIST message maps now being staffed. These changes are needed to fix deficiencies in the existing maps and will not involve significant impact on the using agencies. The new maps should be distributed within the next few weeks.

One-time Certification" of Message Formats

Once the construction of the new central repository database is further along, the prime contractor for reengineering the central repository, Paradigm4, will be assisting the KBI in testing the accuracy and completeness of the message maps submitted with livescan records. This will be a one-time check of each submitting agency's messages to determine that the structure and formats are within specifications. This review of the message constructions will verify that submitting agencies are creating NIST messages that can be entered into the CCH and forwarded to the FBI.

Printrak's Edit & Validation of NIST Messages

As part of the Kansas AFIS contract, Printrak will construct a computer application to receive all NIST messages sent to the AFIS central site from livescan devices. This program will verify the completeness of each message and validate the field entries. Errors will be immediately returned to the submitting agency for correction and resubmission. This essential step will permit electronic fingerprint records to be:

- Accepted for entry into the state CCH (computerized criminal history) database without manual review or edit. And...
- Submitted to the FBI via the national IAFIS network and accepted by the FBI without error correction.

KBARS (Kansas Browser Abstract Reporting System)

KBARS has been given a new lease on life. Originally it was intended as a prototype system to prove the concept of Internet access to the central repository CCH, and was to be replaced by the CJIS network ASTRA interfaces. That replacement is on hold as the central repository prime contractor (Paradigm4) has delayed construction of the new CCH database. We

expect KBARS to be operational for a few more months, at least.

Once we install the Public Access Server (PAS), non-criminal justice agencies that are currently using KBARS will be moved to PAS for on-line record checks.

National Instant Check System (NICS) Update

NICS is the federal legislation that puts in place the permanent provisions of the “Brady Bill” controlling the transfer and possession of firearms.

The FBI has coordinated with the KBI for some improvements to the processing of NICS checks for persons with Kansas criminal records. Currently, when the prospective firearm purchaser is found to

have a potentially disqualifying arrest in his/her criminal history record and the disposition is not in file, the FBI will ask the KBI to provide the disposition. The KBI will then either provide the disposition from central repository files or will ask the local court or prosecutor for that information.

Change # 1: FBI will begin making contact with local authorities for dispositions

The first change in procedure will be when the arrest offense is considered especially serious (homicide, rape, felonious assault, larceny, burglary/breaking & entering, motor vehicle theft). In these instances the FBI may directly call the local court, prosecutor or law enforcement agency to obtain dispositional information. This change is intended to expedite the NICS decision for these “urgent” cases so the proper

decision to permit or deny firearms purchases can be made within the 3-day window. The only impact on local agencies should be that the FBI NICS division may make contact and ask for disposition rather than the KBI NICS clerk (Beverly Sage). In fact, this change may reduce the time spent in reporting dispositions since the FBI can take care of follow-on questions in the single contact.

Change # 2: Restraining order information is now being requested.

The second change is the FBI’s request for details of currently active restraining orders. If the prospective firearm purchaser is the subject of a restraining order and that order protects a domestic partner from potential violence, the FBI must be informed at the time of a NICS query. By federal law, such a restraining order disqualifies the firearm transfer. If the order has been entered in NCIC, the FBI will have access to the details through their system and will already know about the restraining order. However, since not all restraining orders are entered in NCIC, the local

agency queried for the NICS check is asked to advise whether or not there is such an order and to fax a copy of the order to the NICS operator (either at the KBI or the FBI).

In May, 1999, the KBI sent a letter to criminal justice agencies statewide explaining NICS procedures and responsibilities. Please review that letter for a more complete explanation of NICS implementation in Kansas. If you have any questions, please contact Bev Sage, KBI NICS Coordinator, at (785) 296-8274

Large Systems Interface (LSI) Operations

Two agencies have submitted reimbursement claims under the LSI grant program for completing their deliverables. With the Interface Control Document (ICD) for Kansas

Disposition Reports (KDR) due out this spring, more agencies will be able to complete development of their work and connect their systems to the Central

Repository. One agency is involved with testing their KIBRS gateway interface operation.

KDR Gateway

Business Software and Equipment, Inc (BSE) has been contracted to create an interface between local prosecutors and the central repository to process and validate electronically transmitted criminal history Kansas Disposition Reports (KDR). This interface is known as the "KDR Gateway." The agencies that use this gateway are those with databases that will package all the data found on the Kansas Adult Disposition Report (KADR) and the Kansas Juvenile Disposition Report (KJDR) and send the data

by electronic file rather than by use of the printed forms.

The KDR Gateway will function much as does the KIBRS Gateway. Records of prosecutorial disposition will be received at the gateway as electronic files and the contents checked for completeness and accuracy. Files that do not meet the standards and specifications will be rejected. Files that pass will be sent on to the central repository computerized criminal history (CCH) database and

added to the appropriate subject's record.

BSE has identified the lead engineers in the design phase of this project. Scott McDaniel will head the architectural design. Local programmers and interested supervisors are encouraged to contact Scott and ask for a copy of the interface control document (ICD) that defines the specifications, protocols and business rules for the interface.

New Kansas Disposition Reports (KDR) Now in Use

Effective January 1, 2000, the central repository began use of new versions of dispositional reporting documents. The old Kansas Adult Disposition Report (KADR), KBI form version CCH-3, is replaced by a new KADR, KBI form version CCH-4.

The juvenile offender forms (Prosecutor Juvenile Report, Secure Custody Detention Report, and Offender Court Report) were all replaced for reporting to the central repository by a single Kansas Juvenile Disposition Report (KJDR), KBI form version CCH J-3. However, the Juvenile Justice Authority (JJA) has adopted one of the forms the central repository abandoned.

Here's a rundown on the forms, old and new:

Prosecutor Disposition Report (PDR)	Obsolete
FBI form R-84	Obsolete
KADR (CCH-3)	Replaced by KADR (CCH-4)
Secure Custody Detention Report	Now collected by JJA
Prosecutor Juvenile Report	Replaced by KJDR (CCH-J3) for juvenile offenders. Only submitted for CINC.
Offender Court Report	Obsolete

Detailed instructions for completion of the KADR and KJDR were distributed with the new forms to law enforcement and prosecutors.

“PUR/E” Survey

The central repository is reviewing operations and responsibilities to respond to ASTRA requests for criminal history record information. Purpose code “E” checks are for non-criminal justice employment and licensing. While the federal database and most individual states will not honor PUR/E, the KBI has processed requests for Kansas criminal justice agencies. Since KBI

responses are not automated, a significant amount of staff time is spent receiving, processing and responding to such ASTRA transactions. A review of the message traffic indicates that a number of these messages might be better handled by the employing agency submitting their check requests directly to the KBI and not having the criminal justice agency submit via ASTRA.

Proposal to reduce PUR/E requests

Staff review has recommended that the central repository limit ASTRA records check requests for PUR/E. Agencies that currently use PUR/E via ASTRA would obtain needed information according to the following:

- Purpose code “E” requests would only be honored for records checks submitted by a Kansas criminal justice agency based on a legal obligation to conduct such checks. For example:
 - A Police Department that is tasked by Municipal Ordinance to license taxi cab drivers
 - A Sheriff’s Office that is required by County Resolution to conduct background checks of pawn shop owners
 - A Kansas state governmental agency that is required by KSA to regulate political lobbyists
- The above “required by law” checks would be accomplished in one of three ways:
 - Direct queries of the central repository CCH database through KBARS.
 - Submission of Applicant Fingerprint Cards. This is the best solution, but would cost \$17 per check (or \$41 if a national records check is permitted by KSA entitlement).
 - By ASTRA message if the above two options are unsatisfactory.
 - All other purpose code “E” requests would be rejected. These records check requests would have to be initiated by the employing agency. The KBI would satisfy these requests by establishing a relationship with the employing agency and eliminating the criminal justice agency as an unnecessary middleman.

Opinions are solicited



If you would like to voice your opinion, concern or question, the KBI Records Section would very much like to hear from you. Please contact Helen Ohlsson, Public Service Administrator II, KBI Adult Records Unit at (785) 296-8270. Helen’s e-mail address is: OHLSSON@KBI.STATE.KS.US. (be sure to get both “s” in her name).

Palmprint Cards

The central repository has received a number of requests for re-publication of the Kansas Palmprint Card. Unfortunately, budget constraints have forced the KBI to stop stocking this form. Also unfortunately, existing stocks have been exhausted.

Fortunately, the FBI has decided to create and distribute palmprint cards. They have said they will make these available in the next few months. When the FBI announces the cards are available, they may be ordered in the same way fingerprint cards are ordered.

Nursing Facility/Home Health Care Agency Records Checks

Federal Public Law 105-277 (Section 124) permits nursing homes and home care agencies access to national criminal history record checks for persons applying for employment. This access is available without any further action on the part of the state.

How are such agencies defined?

For the purposes of this federal law, a “home health care agency” is an agency that provides home health care or personal care services on a visiting basis in a place of residence. A “nursing facility” is a facility or institution (or a distinct

part of an institution) that is primarily engaged in providing to residents of the facility or institution nursing care, including skilled nursing care, and related services for individuals who require medical or nursing care.

How are such checks conducted?

The facility or agency that meets the above definitions may initiate the records check request by submitting an Applicant fingerprint card (FBI form FD 258) to the KBI (Attn: Adult Records) along with a statement signed by the applicant permitting the agency or facility to request the search and obtain the record and payment of \$41 per applicant. The KBI will process the prints and obtain the federal database response.

If the applicant has a criminal record, the KBI will forward the record to the facility or agency that submitted the request. This is a unique aspect of this federal law, since normally a non-criminal justice agency is not permitted to have the criminal history record response from the FBI.

Additional information may be obtained by contacting SAC David G. Sim, KBI Criminal Records Section, at (785) 296-8265.

Statistics of Note

Here are some facts and figures that you might want to work into a conversation at a social gathering. Or Regis Philbin just might use these in his quiz show.

The project to automate the criminal history database has now produced 208,631 records.

During the last quarter of calendar year 1999 (October, November & December), 21,030 arrest fingerprint cards were processed at the central repository. That is an especially large number because backlogged actions from the previous quarter were caught up. Of that number, 7,479 were new subjects and

the remaining 13,551 were recidivists.

Applicant fingerprint card submissions continue to increase. The central repository is currently averaging about 780 per month.

Kansas Incident Based Reporting System (KIBRS)



Paradigm 4 and Business Software & Equipment (BSE) have been busy testing the program that loads KIBRS data from initial server at the KBI to the central repository. During this process a discrepancy with the CJIS Data Dictionary was found in the code for bald. Therefore, the code has been changed in KIBRS from BLD to **BAL** for Bald. Please note this in your KIBRS Reporting Manual on the following pages:

Victim Hair Color Page 53

Suspect Hair Color Page 68

Arrestee Hair Color Page 76

At the Association of State Uniform Crime Reporting Programs (ASUCRP) annual conference this fall, several questions were asked that the FBI responded to in their December State Program Bulletin.

Reporting Crimes in Correctional Facilities

Are crimes in correctional facilities currently being reported, should they be reported, and, if so, which agency should do the reporting?

Crimes that occur in correctional facilities, state penitentiaries, prisons, or jails should be reported by the law enforcement agency having jurisdiction. (In Kansas the facilities managed by the Department of Corrections report directly to the KBI, i.e. Lansing, Hutchinson etc.)

Concerning jurisdiction, the KIBRS Handbook, page 6 states, "To be certain data are not counted more than once by overlapping jurisdictions, the following guidelines have been developed":

1. Police and county law enforcement agencies submit reports for incidents reported to and / or processed by their respective organizations.

2. State law enforcement agencies, such the KBI and the Highway Patrol, when opening a case / investigation, are responsible for preparing and forwarding a Kansas Standard Offense Report (KSOR), and, when an arrest is made, a Kansas Standard Arrest Report (KSAR) to the KBI.

3. Federal agencies report offenses within their investigative jurisdictions if they are not being reported by a local / state law enforcement agency.

4. When two or more Federal, state, or local agencies are involved in the investigation of the same offense, and there is a written or oral agreement defining the roles of the investigating agencies, the agreement should designate which agency will report the offense.

5. When two or more Federal agencies are involved in the

investigation of the same offense and there is no written or oral agreement defining their roles, the Federal agency having "lead" or "primary" investigative jurisdiction will report the incident.

6. Agencies report only those arrests made for offenses reported to and / or processed by their respective organizations.

7. Likewise, the recovery of property is reported only by the agency that first reported it missing and / or stolen, regardless of who or what agency recovered it.

Note: The purpose of these jurisdictional guidelines for reporting crime statistics is to accurately depict the nature and volume of crime in a particular community, not to claim or take "credit" for the number of investigations, arrests, etc.

NIBRS Data Element Type Weapon/Force Involved

Should an edit be added for Type Weapon/Force Involved, to alleviate the problem of some agencies entering code 99 = None rather than code 40 = Personal Weapons for incidents in which the offender uses hands, fists, feet, teeth, etc., in the commission of an Aggravated Assault/Battery? Concern for this issued stems from situations similar to the following example:

A boyfriend places both hands around his girlfriend's neck and begins to choke her while he screams, "I'll kill you." The police respond and pull the male off the female and place him under arrest. The female has red marks on her neck. The

Type Weapon/Force Involved is erroneously coded as 99 = None when it should have been coded as 40 = Personal Weapons.

Since the misuse of codes does not appear to be a widespread problem, the Education/Training Services (ETSU) Unit and the Crime Analysis, Research, and Development (CARD) Unit of the FBI feel that an edit is not warranted at this time. Rather than adding an edit, ETSU and CARD Unit members encourage agencies to address this issued in training sessions at the state and agency levels, focusing on the use of hands, fists, feet, teeth, etc., as actual weapons.

Incidental Damage

Should incidental damage be considered when it occurs in conjunction with other reported offenses, specifically, Theft?

The UCR Handbook, NIBRS Edition, page 14, under the category of Destruction/Damage/Vandalism of Property, states, "Incidental damage resulting from another offense (e.g., burglary, robbery) is to be reported in this offense category only if the reporting agency deems the amount of damage to be substantial. For example 'insubstantial' damage, such as a broken window, forced door, etc., should not be reported; but 'substantial' damage, such as where a truck is backed into a storefront to gain admittance and major damage is caused, should be reported. For the crime of arson, however, incidental damage resulting from fighting the fire should be included as part of the loss caused by burning. The determination of whether the damage was 'substantial' is left to the discretion of the

reporting law enforcement agency and should not require burdensome damage assessments."

When reporting incidental damage in KIBRS/NIBRS, Criminal Damage of property should be reported in conjunction with the Theft. For example, a vehicle is entered by means of smashing the passenger side window and \$10 of currency is stolen. In reporting the offense of Criminal Damage (K.S.A. 21-3720) the type property loss of 4 (criminal damage) with a type property code of 1151 (automobile parts/accessories) and a loss value of \$50 for the damaged window would be listed. Additionally, for the Theft (K.S.A. 21-3701) the type property loss of 7 (stolen) with a property code of 0101 for the currency would be listed on the KSOR. However, when the FBI converts the NIBRS data to summary data, the damaged property is ignored in determining the value of stolen property.

National UCR Program and Y2K Compliance

Many have asked the national Program staff whether the UCR Program is Y2K compliant. Developers of both the NIBRS and the hate crime data collection program created these systems with an eight-digit date in mind. The two-digit year used in summary reporting is adequate and does not require modification at this time. Therefore, no Y2K-related difficulties are anticipated.

Reporting Bomb Threats



What is the proper classification of a bomb threat (as opposed to the actual presence of a bomb), and how should a bomb threat be reported using KIBRS/NIBRS?

Some agencies may misconstrue a bomb threat to be a crime against property, using the rationale that the intent is to blow up a building. However, a bomb threat is actually a crime against a person because the intent is intimidation and a building (structure) cannot logically be intimidated. At least one entry of I = Individual is required as the Type of Victim in the victim segment of the Incident Report (KSOR). *The national Program requires reporting the person who received the bomb threat as the victim.* It is left to the agency's discretion

as to how many individual victims (up to 999) are reported.

Example: While at work, a white female secretary, aged 45, of an elementary school receives a bomb threat over the telephone. Approximately 400 faculty and students are evacuated from the school. A search conducted by the bomb squad yields negative results. The faculty and students return to their classrooms after an hour.

The national Program requires that this situation be reported as Intimidation (Criminal Threat K.S.A. 21-3419); premise code 14 = Secondary / High / Intermediate / Elementary School; Victim Sequence Number 001 for one victim; Victim Connected to Offense 1 (Criminal Threat); Type of Victim, code I = Individual; Age of Victim; Sex

of Victim, code F = Female; Race of Victim, code W = White; and other applicable data elements and values. Any additional individual-type victims (up to 999) may be reported at an agency's discretion, i.e., for the purpose of providing data to make possible special studies, such as violence against children, etc.

It must be understood that any additional individual-type victims reported will be counted in the agency's overall Assault/Battery total when the NIBRS data are converted to summary data. The new summary Assault total will not, however, inflate the Aggravated Assault/Battery total because the conversion process does not affect that specific offense.

Sheriffs' Elections



This year's general elections will include the races for county sheriff. Under the provisions of KSA 19-801b and 19-826, County Election Officers must, for each candidate, submit fingerprint cards to the KBI. The KBI must conduct criminal history records checks at the state and federal level and certify the results.

The KBI will soon send a letter of instructions and a supply of applicant fingerprint cards to each County Election Officer. In the meantime, here are the procedures:

- The FBI Applicant Fingerprint Card (FBI form FD 258) is the only acceptable card for this process.

- The "ORI" block must have the KBI's ORI and address. That is because the FBI's response must come back to the KBI rather than directly to the agency that created the fingerprint cards.
- The "Reason Fingerprinted" block must have the following entry:
Sheriff candidate for (county name) County K.S.A. 19-826
- Two copies of the card must be submitted to the KBI, Attention Adult Records. Once the FBI's response is received, the KBI will prepare a formal letter of certification and send it to the Election Officer.

FAQ

Questions Received via Mail, E-mail, Fax, Phone and Thrown Bricks

Q – Why do we sometimes receive two calls from NICS representatives from the KBI and/or the FBI regarding criminal case disposition details?

A – If the person's record is incomplete and the KBI doesn't have sufficient information in the central repository files to provide the FBI with the data they need, the local agency having the information needed will be contacted. If that results in a denial of the firearms transaction, the subject of the NICS check may appeal the denial. That will result in further review by another office in the FBI NICS section. This office may need more information, and that may result in a second call to the local agency.

Q – What are the reporting responsibilities and procedures when a juvenile is summonsed to court? In our jurisdiction, juvenile offenders are seldom arrested and booked.

A – When the juvenile offender (or an adult, for that matter) is first brought to court by summons for an offense that is reportable to the central repository (felony, A/B misdemeanor - and C misdemeanor assault for adults), the court should direct fingerprints be taken then. If the entire court action is complete at that appearance, the fingerprint card should be annotated with the court's disposition. If the final court action is scheduled for a future date, a KDR should be started and the fingerprint card should be sent to the central repository.

Q – What about a juvenile or adult offender who is summonsed for a reportable event but doesn't get to court because the prosecutor agrees to a diversion?

A – In that case the prosecutor must ensure that both the fingerprint cards and the corresponding KDR reporting the diversion are submitted to the central repository.

Q – But what about the situation in which the subject has not been arrested or booked and the prosecutor refuses to issue a summons or file a charge?

A – In that case the offense is recorded by the KIBRS offense report, but no fingerprint cards or KDR will be made or submitted to the central repository.

Q – What is the status of the BSE Prosecutor's Case Management Application?

A – Currently it is in prototype and actively under review by the design team. The original application didn't pass BSE's quality control and they re-wrote major portions of it rather than deploy it to the field. Release is imminent.

Q – How do Prosecutors and Courts now report Child in Need of Care (CINC) actions?

A – Prosecutors should continue to report CINC actions as in the past by using the "Prosecutor Juvenile Report." Courts should continue using the "CINC Court Report." Both forms will be changed in future phases of the CJIS project, with the intent to simplify reporting and improve CINC data interchange.

Q – How can we run background checks on Court-Appointed Special Advocate (CASA) volunteers?

A – These are processed at the central repository as "PUR/J" law enforcement employment records checks. Courts may conduct name checks over the ASTRA network or submit a records check request to the central repository via fax or mail. A better check will be obtained by submitting an Applicant fingerprint card (FBI form FD 258) with "Law Enforcement Employment" recorded in the "Reason Fingerprinted" block. The court places its ORI in the submitter's block, then mails the card to the KBI. The response from the KBI or the FBI will be sent directly to the submitting court. These are no-fee checks and involve the national database.

Q – I asked for a stock of the new KADR and KJDR for my Sheriff's Office. I ordered 5,000 of each, but you only sent me 300 of each. What gives?

A – In these days of budget cuts and fiscal responsibility, the central repository has limited funds to publish the new KDR. Rather than have all agencies stock large supplies, we are distributing quantities that represent the numbers of reports historically received from that agency or county. We ask that you only request enough forms to constitute a 9 to 12 month supply.

Did you know?

EMERGENCY REPAIR DISK !

Does your agency have an Emergency Repair Disk for your computer? If your windows NT operating system crashes are you prepared to fix it?

If your agency does not currently have an Emergency back-up disk please follow the following procedures in order to create one. THESE INSTRUCTIONS ARE FOR WINDOWS NT USER'S ONLY. IF YOU ARE OPERATING ON WINDOWS 95 OR WINDOWS 98 YOU WILL NEED TO MAKE A BACKUP OF YOUR SYSTEM.

1. Click On START
2. Go to RUN
3. Type in the following: rdisk /s (please note that there is a space between the word disk and the /)
4. Click on OK
5. A dialog box will pop up and show "saving configuration"
6. When this is completed you will receive a message stating: "setup can create an emergency back-up disk, do you want to create the disk?"
7. Click on YES
8. A dialog box will come up and ask you to insert a disk in drive A:
9. You will then receive a dialog box showing that the disk is being formatted.
10. When the back-up is complete you will receive a message stating that it has completed and to keep the disk in a SAFE place.

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KANSAS BUREAU OF INVESTIGATION
CRIMINAL JUSTICE INFORMATION SERVICES
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